

May 5, 1994

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MAY 12 1994

Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

FCC - MAIL ROOM

In re: Notice of Inquiry,
MM Docket No. 94-34

Secretary,

First Greenville Corporation is licensee of Stations KGVL and KIKT(FM), Greenville, Texas. In the FCC's "Memorandum Opinion & Order and Notice of Apparent Liability", the stations were assessed a fine of \$37,500, given short-term renewals and required to submit annual reports on their recruitment practices for the next three years. The FCC found no discrimination on the part of the licensee and no attempt to conceal information or to mislead the FCC. Rather, the FCC found that we did not recruit so as to attract an adequate pool of minority applicants and kept inadequate records of what recruitment efforts and results had been undertaken and achieved. The fine should be rescinded because it will literally devastate the stations. KGVL and KIKT(FM) are minimal power stations in a small community covered by many other, higher-powered stations.

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The results of such a fine will harm, not benefit, the public interest. First, the stations will not be in a position to hire new staff and, if they lose staff members for economic reasons, they either will not fill those positions or not be in a position to present an attractive job offer to anyone, minorities included. Second, although the stations are small and serve a small town, their commitment to local public service is meaningful and substantial. Given the fixed costs of power, utilities and other operating expenses, and the fact that we already have been required to reduce those costs to the absolute minimum, it should be obvious that the additional loss created by the FCC's fine will have to come out of the only area where expenses can be reduced; our PUBLIC SERVICE involvement. Whatever the stations' past shortcomings, the penalty imposed by the FCC certainly will be counterproductive in these circumstances.

We strongly believe that the imposition of the fine on KGVL and KIKT(FM) was improper in general, in addition to being unduly burdensome in these particular circumstances. It is our understanding that the FCC has not imposed a fine like this in the past in similar situations. Whatever its requirements have been, its policy with regard to penalties for failing to fully satisfy those requirements is a new one.

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This is proven, moreover, by the fact that the Commission issued a new Policy Statement at the same time that it fined First Greenville Corporation under the provisions of the Policy Statement. "In essence, and in fact, the FCC therefore applied a newly pronounced policy (which is like a newly announced rule) retroactively and without notice. This is not only unfair, it is improper, and possibly unconstitutional.


We understand that, when it issued the Notice of Liability, the FCC may have wanted to make a dramatic statement which would immediately get every licensee's attention -- and it certainly did so -- but this motive or result does not justify acting in a way which is contrary to proper procedures. If the FCC believes that a new, more rigorous policy should be implemented, it should give notice of such a policy and then penalize anyone who ignores that notice.

There may be an interval between announcement and the fine, but the industry will get the message and only those who knew of but ignored the new policy will be subjected to it. Proceeding as the FCC did, however, was unfair and inappropriate.

page 4 of 4

It would be expected that if the fine is imposed Hunt
Counties only radio news department would cease to exist
because we can't economically continue with this expense.
Please note the enclosed letters.

Sincerely,

A large, stylized handwritten signature in black ink, likely belonging to John C. Butler, is written over the typed name and title. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

John C. Butler
KGVL/KIKT
General Manager



The Greenville Chamber

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MAY 12 1994

FCC - MAIL ROOM

March 15, 1994

Mr. John Butler, General Manager
KGVL/KIKT Radio
P O Box 1015
Greenville, TX 75403

Dear John:

Just wanted to drop you a note regarding an article in The Greenville Herald Banner dated February 10, 1994. I was sorry to see such negative press referencing FCC violations.

I truly hope this coverage does not affect the current ownership and you as general manager. Upon your arrival with KGVL/KIKT, the radio station has been an excellent corporate citizen. The Greenville Chamber of Commerce has enjoyed partnering with you on promoting our "entire" community with such projects as the Forth of July Celebration, Cotton Jubilee, Glowing Greenville, Shop Greenville, and the Christmas Train Express.

The community would greatly suffer if your license was jeopardized due to past ownership and/or management decisions.

If your Chamber can be of any assistance, please feel free to contact me or our chairman, Mrs. Tubby Adkisson. Again, I'm sorry the radio station is receiving such negative and undeserving coverage.

Sincerely,


Kelly R. Mowdy
President

KM/sj



DEPARTMENT OF THE AIR FORCE
UNITED STATES AIR FORCE RECRUITING SERVICE (AETC)

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MAY 12 1994

FCC - MAIL ROOM

28 February 1994

MEMORANDUM FOR KIKT/KGVL Radio

Attention John Butler

P.O. Box 1015

Greenville, TX 75403-1015

FROM: United States Air Force Recruiting Office

5415 Wesley St.

Greenville, TX 75402-6460

SUBJECT: Recognition for outstanding public service.

Dear Mr. Butler,

It is my sincere pleasure to recognize you and the radio station for your outstanding public service contributions. I personally deal with many radio stations in Texas and by far your stations is truly a leader of public service.

Not only have you donated free air time to the United States Air Force; Your stations gave me live interviews; all of this support saved the Government several thousands of dollars. No other radio station has been as supportive as KIKT/KGVL.

In addition to the outstanding support to your country. More young men and women in the community are now employed in the Air Force. I know no substitute for this kind of public service.

Your station personnel not only play songs on the radio, but are very active in community service. I see them in my schools giving guidance as role models for young students. I see them at Lions Club meetings. I see them at High School Ball games. These are some of the finest examples of Public Service that I have found anywhere.

On many occasions in the past, I have awarded your stations with public service awards. I am honored to work with a radio station with such commitment to public service.

Thanks KIKT/KGVL for your dedication to Public Service

NEIL A. HOUSER, MSgt, USAF
Recruiter



City Of
Greenville

2821 Washington
P.O. Box 1049
Greenville, Texas 75403-1049

903-457-3100
FAX: 903-457-3167

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MAY 12 1994

FCC - MAIL ROOM

March 4, 1994

Mr. John Butler
General Sales Manager
KGVL AM Radio
P.O. Box 1015
Greenville, Texas 75403-1015

Dear John:

I would like to take this opportunity to recognize KGVL for the commitment you have made to public service in the Greenville and Hunt County area.

As Chief of Police, I appreciate the assistance you have provided us by promoting community involvement and making the public aware of public safety issues in the City. You have always been willing to run crime related stories as well as informative educational programs. The assistance you have given us in airing Crime Stoppers tips and the weekly "Crime of the Week" has been very helpful, along with your daily reporting of police activities. I also appreciate your support in recognizing a Police "Officer of the Month" for the past several years.

KGVL has made a great contribution to public service work for organizations such as Drug Free Greenville, Women In Need and other charitable groups. You have provided extended coverage to all City Council meetings and activities of all City departments.

In my opinion, KGVL is a "Good Citizen" of Greenville and makes numerous contributions in fulfilling your role as a media service in this area. Keep up the good work!

Sincerely,

Barry Paris
Chief of Police

BP:bb

ALPH M. HALL
4TH DISTRICT, TEXAS

Congress of the United States
House of Representatives
Washington, DC 20515-4304

March 1, 1994

COMMITTEE ON
ENERGY AND COMMERCE
SUBCOMMITTEE:
ENERGY AND POWER
HEALTH AND THE ENVIRONMENT
TELECOMMUNICATIONS AND FINANCE
COMMITTEE ON
SCIENCE, SPACE, AND TECHNOLOGY
SUBCOMMITTEE:
SPACE, CHAIRMAN
SCIENCE

Mr. John Butler
General Manager
KGVL/KIKT
Post Office Box 1015
Greenville, TX 75403

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FCC - MAIL ROOM

Dear John:

This is to acknowledge the recent recognition which you have received from the Air Force Association, North East Chapter 416, of Greenville, Texas.

Congratulations! I applaud your spirit of public service and join your many friends in saying, "Good Job, Well Done."

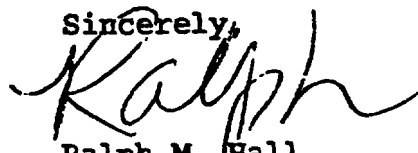
At this juncture in American history, when patriotism, selfless service to others, and other traditional values of the American way of life are seldom or rarely practiced, it gladdens my heart to know there are good citizens such as yourself, John, who, through the power of public communication, give selflessly of your air time to make your listeners aware of the good work that others achieve in the community, notably, the Air Force Association of Greenville. Thank you for your interest and care in promotion of civic activities in the Fourth District of Texas.

Take a bow!

If in the future, I may be of assistance in some matter of a federal nature, please do not hesitate to let me know.

With best wishes for continued successes, and kind regards,
I am

Sincerely,


Ralph M. Hall
Member of Congress

RMH:pbt
Enclosure

Please reply to:

☐ 2236 RAYBURN HOB
WASHINGTON, DC 20515-4304
(202) 225-6673
(202) 225-3332 FAX

☐ 104 NORTH SAN JACINTO
ROCKWALL, TX 75087-2508
(214) 771-8118
(214) 722-0907 FAX

☐ 119 FEDERAL BUILDING
SHERMAN, TX 75090-5917
(803) 892-1112
(803) 868-0264 FAX

☐ 211 FEDERAL BUILDING
TYLER, TX 75702-7222
(803) 587-3729
(803) 587-0726 FAX

DrugFreeGreenville

Say NO to drugs today, and say YES to the rest of your life.

March 10, 1994

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MAY 12 1994

John Butler
KGVL/KIKT Radio
P.O. Box 1015
Greenville, TX 75403

FCC - MAIL ROOM

Dear John,

Drug Free Greenville is very appreciative of the leadership role that KGVL/KIKT has exemplified in our community. Since the creation of our organization six years ago, your radio station has cooperated and sponsored successful prevention activities and programs, especially targeting area youth.

On numerous occasions, your staff assisted in publicizing the annual Red Ribbon Campaign, parent training programs, Drug Free Workplace seminars and many other programs with public service messages written and taped by local children, as well as on going competent news coverage. A joint program with the school district, library and civic leaders produced an effective "fractured fairy tale" project teaching anti-drug and stay-in school messages.

Perhaps the most well known Drug Free Greenville activity of KGVL/KIKT Radio Station is the widely acclaimed annual Walk-A-Thon Pizza Party hosted for more than 275 area school children to honor their participation in our community's largest prevention event. The station provides not only a place and entertainment, but also the pizza lunch for the entire group of students and teachers who for the past five years have been bussed to the station's lawn.

Clearly you are committed to the welfare of our community, especially its young people. Drug Free Greenville thanks you for your continuing cooperation and hopes this information will be considered in the findings.

Sincerely,



Sharon Kronke
Executive Director
Drug Free Greenville

DrugFreeGreenville



City Of
Greenville

2821 Washington
P.O. Box 1049
Greenville, Texas 75403-1049

903-457-3100
FAX: 903-457-3167

March 9, 1994

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MAY 12 1994

FCC - MAIL ROOM

Mr. John Butler
KGVL - KIKT
1517 Wolfe City Drive
Greenville, Texas 75401

Dear Mr. Butler:

On behalf of the City of Greenville, I would like to express my appreciation to you and KGVL - KIKT for the outstanding news coverage and community support you provide.

Your cooperation during our recent water crisis is just one example of the quality service you give and the positive working relationship we enjoy.

You have been diligent in your coverage of City Council meetings and have provided fair and informative reporting of the social and minority issues in the community. Your news coverage is essential to our continued success and we support your efforts to maintain your news programs.

Sincerely,

Ed Thatcher
City Manager

ET/lp